

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

In re: Ian Sorkin,  
Debtor.

CHAPTER 7

Nationstar Mortgage LLC as servicer for The  
Bank of New York Mellon f/k/a The Bank of  
New York as successor in interest to  
JPMorgan Chase Bank, N.A., as Trustee for  
Centex Home Equity Loan Trust 2005-C,

Movant,

v.

Ian Sorkin,  
Debtor,

Markian R. Slobodian, Trustee,  
Additional Respondent.

BANKRUPTCY CASE NUMBER  
17-03762/HWV

11 U.S.C. § 362

**MOTION OF NATIONSTAR MORTGAGE LLC AS SERVICER FOR THE BANK OF  
NEW YORK MELLON F/K/A THE BANK OF NEW YORK AS SUCCESSOR IN  
INTEREST TO JPMORGAN CHASE BANK, N.A., AS TRUSTEE FOR CENTEX HOME  
EQUITY LOAN TRUST 2005-C FOR RELIEF  
FROM THE AUTOMATIC STAY UNDER SECTION 362 (d)**

Movant, Nationstar Mortgage LLC as servicer for The Bank of New York Mellon f/k/a  
The Bank of New York as successor in interest to JPMorgan Chase Bank, N.A., as Trustee for  
Centex Home Equity Loan Trust 2005-C ("Movant"), hereby moves for relief from the automatic  
stay under section 362(d) and, by its undersigned counsel, avers the following in support of the  
said motion:

1. Debtor, Ian Sorkin ("Debtor"), filed a petition under Chapter 7 of the Bankruptcy Code in the Middle District of Pennsylvania under the above case number.
2. Movant is the holder of a secured claim against Debtor secured only by a first mortgage lien on real estate which is the principal residence of Debtor located at 1 Goldenrod Drive, Carlisle, PA 17015 (the "Mortgaged Premises").
3. The filing of the aforesaid Petition operated as an automatic stay under Section 362(a) of the Bankruptcy Code of proceedings to foreclose the mortgage on the Mortgaged Premises.

4. Nationstar Mortgage LLC services the loan on the property referenced in this motion for relief. In the event the automatic stay in this case is modified, this case dismisses and/or the debtor obtains a discharge and a foreclosure action is commenced on the mortgaged property, the foreclosure will be conducted in the name of Nationstar Mortgage LLC.
5. Nationstar Mortgage LLC, directly or through an agent, has possession of the promissory note. The promissory note is either made payable to Noteholder or has been duly indorsed in blank. Noteholder is the original mortgagee, or beneficiary, or the assignee of the security instrument for the referenced loan.
6. Debtor has failed to make all the required monthly payments on the said Mortgage.
7. The defaults include the following monthly payments and charges:
  - a) Payments of \$750.07 from January 1, 2015 through November 1, 2015 which totals \$8,250.77;
  - b) Payments of \$647.40 from December 1, 2015 through July 1, 2016 which totals \$5,179.20;
  - c) Payments of \$2,265.34 from August 1, 2016 through November 1, 2016 which totals \$9,061.36;
  - d) Payments of \$2,307.48 from December 1, 2016 through September 1, 2017 which totals \$23,074.80;
  - e) The total amount due (7(a) through 7(d) combined) is \$45,566.13
8. The Fair Market Value of the Property is \$230,000.00, as per Appraisal. The approximate amount necessary to pay off the loan is \$269,129.50 good through September 21, 2017. The breakdown of the payoff is as follows:

Principal Balance	\$222,350.86
Accrued Interest	\$30,235.10
Escrow Advance	\$9,955.47
Corporate Advance	\$6,588.07
Daily Per Diem	\$52.02

Therefore, there is little, if any, equity in the Property.

9. Movant is entitled to relief from the automatic stay because of the foregoing default and because:

- a) Movant, as a holder of the first mortgage lien securing a debt owed by Debtor lacks adequate protection for its interests in the Mortgaged Premises;
  - b) Debtor does not have any equity in the Mortgaged Premises; and
  - c) The Mortgaged Premises are not necessary to an effective reorganization or plan.
10. Movant requests that the Court waive Rule 4001(a)(3), permitting Movant to immediately implement and enforce the Court's order.
11. Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase order, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements in support of right to seek a lift of the automatic stay and foreclose if necessary.

WHEREFORE, Movant respectfully moves this Court for an Order (i) granting Movant relief from the automatic stay to foreclose upon and to otherwise exercise and enforce its rights with respect to the Mortgaged Premises, (ii) awarding reasonable attorneys' fees incurred in the preparation and presentation of this motion, and (iii) granting all such other and further relief as the Court deems appropriate and necessary. A proposed order to such effect is submitted herewith.

Respectfully submitted,

Dated: 9/22/2017

S&D File #:16-054923

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